

MARRERO, S,

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNARCO MATERIAL HANDLING, INC.,

Plaintiff,

- against -

KINGWAY INCA CLYMER HOLDINGS, INC. and
AMERICAN CAPITAL STRATEGIES, Ltd.,

Defendants.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8-25-08

08 CV 2394 (VM)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel for the parties, that this action is hereby dismissed, with prejudice, each party to bear its
own costs.

Dated: New York, New York
August 8, 2008

FRIEDMAN KAPLAN SEILER &
ADELMAN LLP

By: Scott Berman / JK
Scott M. Berman (SB-4023)
1633 Broadway
New York, NY 10019
(212) 833-1100
sberman@fklaw.com

Attorneys for Defendants

CADWALADER, WICKERSHAM &
TAFT LLP

By: Howard R. Hawkins / JW
Howard R. Hawkins (HH-2787)
Joshua R. Weiss (JW-9959)
One World Financial Center
New York, New York 10281
(212) 504-6225
Howard.hawkins@cw1.com
Joshua.weiss@cw1.com

Attorneys for Plaintiff

SO ORDERED: 24 August 2008

Victor Marrero

United States District Judge